

ACC CONSUMER SERVICES STEPS FOR HANDLING DISPUTES

Per A.A.C. R14-2-1612. Service Quality, Consumer Protection, Safety, and Billing Requirements.

- A. Except as indicated elsewhere in this Article, R14-2-201 through R14-2-212 inclusive, are adopted in this Article by reference. However, where the term “utility” is used in R14-2-201 through R14-2-212, the term “utility” shall pertain to Electric Service Providers providing the services described in each paragraph of R14-2-201 through R14-2-212. R14-2-203 (E) [temporary service] and R14-2-212 (H) [maps] shall pertain only to Utility Distribution Companies.
- B. The following shall not apply to this Article:
1. R14-2-202 in its entirety [application for new CC&N],
 2. R14-2-206 in its entirety [service lines and establishments],
 3. R14-2-207 in its entirety [line extensions],
 4. R14-2-212 (F) (1) [filing of tariffs within 120 days of passage of ACC rules],
 5. R14-2-213 [conservation],
 6. R14-2-208(E) and (F) [curtailment, construction standard & safety].
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1. Customer tries to resolve his/her dispute with the utility company, **R14-2-212.(B)(1), (2) and (3)**.
2. Customer contacts the ACC if he/she is unable to resolve the dispute with the utility.
3. Customer files an informal complaint with the ACC. ACC Consumer Services does the following, **R14-2-212.(C)**:
 - contacts the utility and advises them that the customer has filed an informal complaint
 - reviews the utility’s records on the customer’s account
 - if the utility is in compliance, the customer is notified of the ACC’s findings and the informal complaint file is closed

Attachment 5 – Consolidated Billing Subcommittee

- if the utility is not in compliance, ACC Consumer Services sets up a mediation and attempts to resolve the dispute between the utility and the customer at a meeting
- if no agreement is reached between the utility and the customer during the mediation, the customer has the right to file a formal complaint

4. Formal Complaint:

- the procedures for handling formal complaints are governed by the provisions of A.R.S. §40-247 and A.A.C. R14-3-106.
- if a hearing officer believes that a complaint has sufficient weight, a formal hearing is scheduled
- the burden of proof falls on the party lodging the complaint
- after hearing the testimony and reviewing the evidence presented at the formal hearing, the hearing officer will write a proposed order for the Commissioners to vote on
- the hearing officer's proposed order is voted on by the Commissioners during open meeting

**DISPUTE RESOLUTION PROCESS - APPEARING
ON ACC WEB SITE (<http://www.cc.state.az.us>)**

Consumer Rights

A message from the Arizona Corporation Commission

Consumers have the right to:

Fair Treatment

Utility companies must treat their customers without discrimination in charging for their products and services.

A Utility Investigation

Customers who have a problem with a utility bill or service have the right to ask the utility for an investigation. The utility must look into the question, and respond to the customer.

An Independent Corporation Commission Investigation

Customers who are not satisfied with the utility investigation may ask the Corporation Commission to investigate. You can start this process by calling the numbers listed at the bottom of this page. Additionally, you can write to the Corporation Commission at the listed addresses.

An Informal Review

This is the simplest, most frequently used way to solve disputes between consumers and utilities. A Corporation Commission Consumer Services staff member takes your complaint. This person looks at the facts, makes an independent decision, and provides an explanation to both sides.

You need not be present. You may appeal this decision by filing a formal complaint if you disagree with the outcome.

A Mediation Process

When the Corporation Commission receives an appeal or a formal complaint, a staff member who has not been involved in any earlier process, is assigned to

Attachment 5 – Consolidated Billing Subcommittee

the case. This is done to maintain impartiality. The person conducts a meeting with you and the utility company. After the meeting, the investigator sends both parties a letter containing a recommended resolution to the complaint. The recommendation is not binding by either party. Most often, however, a complaint can be settled at this point.

File a Formal Complaint

If the mediation process fails to resolve the complaint, a hearing officer of the Commission will hear both sides of the complaint in the presence of a court reporter. The Burden of Proof is upon you, the complainant. After hearing both sides give their testimony, the hearing officer will prepare a recommended order that goes to the three commissioners who will decide to uphold, change, or reject the recommended order .

Representation

You have the right to represent yourself. You may also hire a lawyer.

Information

It is your right to examine any document in your complaint file. You may also respond to arguments made by the utility, and ask the utility to provide information that has to do with your case.

Who Is Regulated?

The Arizona Corporation Commission regulates water, sewer, gas, electric and telephone companies that are privately owned and operated, most often for profit.

Municipally owned utilities, cable television companies, and the Salt River Project are not regulated by the Corporation Commission. They have their own processes for settling disputes. Their telephone numbers are listed in the directory.